

AUG 11 2005

A suggested format for a Certificate of Mailing and a Certificate of Transmission under 37 CFR 1.8 to be included with the correspondence is reproduced below.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**>Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450<

on 8/8/05.

(Date)

Typed or printed name of person signing this certificate

Mark Matthew Shellhammer

Signature Mark Matthew Shellhammer.

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) _____ - _____)

on _____.

(Date)

Typed or printed name of person signing this certificate

Signature _____

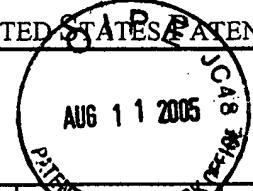
**>

¶ 5.02 Format of Certificate of Mailing or Transmission

The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will



UNITED STATES PATENT AND TRADEMARK OFFICE



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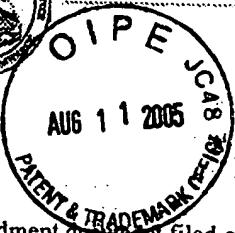
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,536	06/24/2003	Mark Matthew Shellhammer		5755
7590	07/27/2005		EXAMINER	
Mark M. Shellhammer 135 Hall St. Clarksburg, WV 26301			QIN, JIANCHUN	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE



10-601,536

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7.14.05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:

- A. Amended paragraph(s) do not include markings.
- B. New paragraph(s) should not be underlined.
- C. Other: _____

2. Abstract:

- A. Not presented on a separate sheet. 37 CFR 1.72.
- B. Other: _____

3. Amendments to the drawings: See Attachment

4. Amendments to the claims:

- A. A complete listing of all of the claims is not present.
- B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
- C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
- D. The claims of this amendment paper have not been presented in ascending numerical order.
- E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officelife.pdf>.

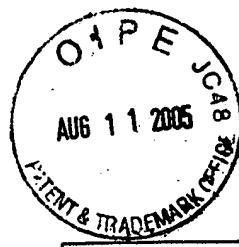
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Theresa Dawkins
Legal Instruments Examiner (LIE)

571-272-1567
Telephone No.



10-601,536

Revised Amendment Practice

- **Amendments to Drawings**

- must include Replacement Sheet(s) which will be entered
- may also include Annotated Marked-up Drawing(s) which is not to be entered as part of the drawings
- each sheet of replacement or annotated drawings must be labeled in the top margin as "replacement" or "annotated"

July 30, 2003

Revised Amendment Practice

- Notice of Non-Compliant Amendment

- To be used for preliminary amendments and non-final amendments

On the form

- Identify the section of the amendment paper not in compliance (e.g., amdts to spec., amdts to clms.)
- Specify the non-compliant item(s) (e.g., no status identifiers, no text for withdrawn claims, etc.)
- Form completed and legibly signed by LIE with phone number. Team Leader signature no longer required
- Non-compliant section of the amendment is not entered
 - all other sections are to be entered

July 30, 2003

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NEW CENTRAL FAX NUMBER

Effective July 15, 2005

On July 15, 2005, the Central FAX Number will change to **571-273-8300**. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

After September 15, 2005, the old number will no longer be in service and **571-273-8300** will be the only facsimile number recognized for "centralized delivery".

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

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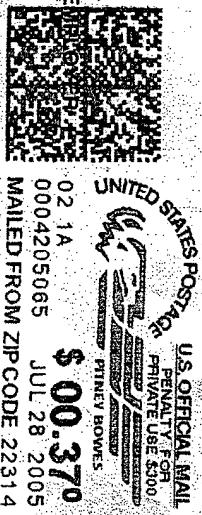
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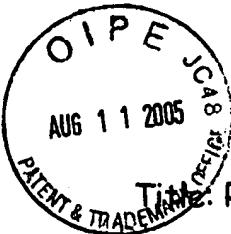
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Organization -

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Alexandria, VA 22313-1450
If Undeliverable Return In Ten Days

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Title: Ring Mute for Brass Musical Instrument

08/08/05

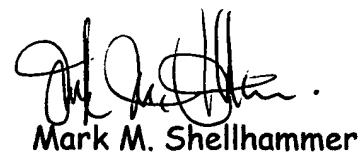
Application Number: 10/601,536

Examiner: Qin, Jianchun

Art Unit: 2837

Applicant(s): SHELLHAMMER ET AL.

Thank you for your guidance and advice with our invention. Enclosed are the corrections you recommended. Once again, thank you for your assistance.



Mark M. Shellhammer



E. Jane Shellhammer